R. Dis. File No. 615

1939.

Collection No.

RF 615/39

Resident's Office

Bangalore

A

HJP

23.7.47

Pros. Serial Nos. 1 - 12

P. 52

Subject.

General Election of Municipal Commissioners, 1939.

Previous References.

1180/36.

Later References.

S. 97.—(Blue)

MFP—1187 S&P—(M-2104)—21-3-39—70,000

R. Dis **FILE No.** 615 f **193**

Section. File No.

Heading. Serial No.

NOTES.

DEPT. BRANCH.

Pros. 19 . Nos.

Subject.

General Election & Municipal Commissioners, 1939.

Notes and Orders.

1180/36

S. 1.

MFP—1406 S&P—(M-2338)—18-3-37—200,000.

D. No. 10971 S.N. 1

Rao Sahib Rajagopal mudaliar came to see me about holding the elections on one day, because Congress use their organisation more easily if the elections are held on different days. I said that Resident could not interfere in such a way as to favour one candidate rather than another. Mr Carleton is a responsible officer, & we would support his recommendation unless there was very strong reason to the contrary. He could go & talk to Mr. Carleton if he wished. He complained of ragging by his opponents, & I said he should make his complaints to the Police.

27/10/31

2 Saw Mr Yeldi clerk when he made the same request. Sent also note of his remarks to the Collector. This suggestion is of course based on self interest, this Mr. Pradhan has a probably different to that elsewhere & probably objects to this election as well but organisation behind them 27/X

Para 4 of the P.U.C

The dates and places proposed may be approved. Draft submitted.

Para 3 of P.U.C

Page 120 of Elec. Law (Put up).

Rule 9 of the Election Rules does not expressly prohibit the same voters seconding or approving the candidature of two rival candidates. The P.M.C. holds the nomination paper of only Mr.Brookes to be in order. It is stated that three of the voters who had signed in the nomination paper of Mr.Brookes have since asked the P.M.C. to remove their names from it. Because the nomination paper was in order at the time of its delivery to the office, the P.M.C. is perhaps right in not taking notice of the subsequent withdrawals.

DSRao 31.x.39

Through J.C.

Secretary.

KIL 31.10.39

Sir

There is nothing in the Rules about this; but the action of P.M.C. is reasonable, & I see no reason to interfere in his discretion.

Rueja. 31/10/39.

Jagan 1/11

Rules

S.N.2 : 188ne

Await

P.V.C

D.No.11364 S.N.3

6

(The date may be approved.) Draft submitted.

mp.
11-11-39

11.11.39

C.S.

S.N.4 : Issue

Asstt

D.No.11633 S.N.5

7

May be filed.

mp.
21-11-39

KLC 21.11.39

PMP 22/11/39

Suppdt

D.No.12001 S.N.6

Cp 1-7 of (y) 8

× Page 16 of P.U.C

Please see S.N.1 and 2.

The draft notification× received from the President Municipal Commission is in order and may issue. Necessary endorsement has been added to the notification.

KLC 28.11.39

28/11

U.S.

9

D.No.12133 S.N.7

Cp. 10 of (y)

Page 20 of P.U.C.

Please see S.N.4

The draft Notification may issue. Necessary endorsement has been made on it.

mp.
1-12-39

Issue & U.S. to see.

1.12.39

KLC 1.12.39

Suppdt
No matter is urgent

S.N. 8: Issue

Draft

12

Issued and submitted. Thank you.

U.S.

D.N o.11853 S.N.9

May be filed.

28-11-39

28.11.39

D.No.12667 S.N.10

Please see Rule 14 of the Municipal Election Rules. Changing of an "A.B" diploma to a "B.A" degree by a candidate standing for election does not appear to be "corrupt practice". According to Mozley and Whiteley's Law Dictionary "Treating, undue influence, bribery, and personation are corrupt practices at elections".

May be filed.

20.12.39

D. No.1011. S.N.11.

Page 121 of By-Laws (2)

Please see Rules 13 and 14 of the Election Rules.

Procedure.

A formal enquiry has not been held; but in regard to the specific allegation made by Mr.Nicholas, the P. M. C., has obtained written statements from Mr. Thompson and Rev. Holder and has also recorded a statement from Mr. Arnold. The rule only says that the complaint "shall be enquired into" by the President: a regular enquiry - at which witnesses are examined in the presence of the - - complainant and the respondent - does not appear to be necessary. The complainant, however, is likely to have a grievance in regard to the procedure adopted: please see in this connection his letters dated the 7th December, - 14th December and 8th January.

pages 32-34 [illegible]

Merits of the case.

pages 35 to 37 [illegible]

It is evident from the statements of Mr. Thompson and Rev. Holder that Mr. Paezold suggested to them the dismiss of Miss Arnold; and it may be presumed that it had "somethin to do" with the Elections. But Mr. Arnold himself denies that he was intimidated by Mr. Paezold. He definitely states that Mr. Paezold did not threaten him with anything when asking for his vote and that his daughter's dismissal had nothing to do with the election. In view of this - statement, there is no case for action under Rule 14.

page 36 [illegible]

Draft submitted.

29.1.40 Paezold is no worse than most of the City fathers. Draft may issue.

30/1/40

Resident Amritsar 1.3.40

Dossier: S.N. (12)

D.No.2028 S.N.13

Please see S.N.11 and 12, and paras 13 to 15 of notes.

May be filed.

24-2-40

27-

27.2.40

4/3/40.

Recd.

2/5/40.

5—3.000—12—5—39

No. 5521/38

CIVIL & MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.

Dated 26th October 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
30 OCT. 1939
Diary No. 10,971
File No.

General Election of
Municipal Commissioners.

I have the honour to forward, herewith, a copy of the notice sent to the local press for publication giving the names of the candidates who propose to stand for election as Municipal Commissioners at the ensuing elections under Rule 9 of the Election Rules.

2. *The following are the seats contested:-*

Division No.		Class.
IV.	..	Europeans and Anglo-Indians.
V.	..	Europeans and Anglo-Indians.
I.	..	Mohamedans.
IV.	..	Mohamedans.
V.	..	Mohamedans.
VI.	..	Mohamedans.
I.	..	Hindus and Others.
II.	..	Hindus and Others.
III.	..	Hindus and Others.
IV.	..	Hindus and Others.
V.	..	Hindus and Others.
VI.	..	Hindus and Others.
III, IV and V.	..	Indian Christians.

3. *I have had to reject the nomination papers of Miss M. Webster (the sitting Commissioner) for the European and Anglo-Indian seat of No.I Division, which she submitted on*

th

(2)

the 23rd October 1939 and 24th October 1939 for want of the required number of voters viz. 8 approving of her nominations (vide Rule 9 of the Election Rules). Six of the voters who had signed in her nomination papers had already signed in the nomination paper of the rival candidate, Mr. O. H. Brookes which he had sent in on the 9th October 1939. I did not accept letters subsequently written by three of the voters who had signed in the nomination paper of Mr. Brookes asking me to remove their names from that nomination paper. I enclose a copy of my letter dated the 24th October 1939 to Miss Webster in this connection. I had also informed her in person to the same effect on the 24th morning.

Page 6 infra.

4. I recommend that the elections in the cases mentioned under paragraph 2 be held at the following places on the dates and between the hours noted against each :-

Europeans and Anglo-Indians.

Division No.	Place.	Date.	Time.
IV.	Y. M. C. A. (Bourdillon Branch), Infantry Road.	7-11-1939.	8 to 10 A.M.
V.	Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.	8-11-1939.	8 to 11 A.M.
	Indian Christians.		
III, IV and V.	Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.	9-11-1939.	8 to 11-30 A.M.
	Hindus and Others.		
I.	Municipal Hindu Boys' School, Joughpollyam, Ulsoor.	14-11-1939.	8 to 11-30 A.M.
II.	Mayo Hall.	15-11-1939.	8 to 11-30 A.M.
III.	Rao Bahadur Suryanarayana Rao's Municipal Girls' School, Cavalry Road.	16-11-1939.	8 to 11-30 A.M.
IV.	Rao Sahib B.G. Rajagopal Mudaliar's Municipal Boys' School, Old Poor House Road.	17-11-1939.	8 to 11-30 A.M.
V.	Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.	18-11-1939.	8 to 11 A.M.
VI.	Rao Sahib Thangavelu Mudaliar's Municipal Higher Elementary School, Blackpally.	20-11-1939.	8 to 11 A.M.

P.T.O.

Division No.	Place.	Date.	Time.
	Mohamedans.		
I.	Municipal Hindu Boys' School, Joughpollyam, Ulsoor.	22-11-1939.	8 to 10 A.M.
IV.	Rao Sahib B.G. Rajagopal Mudaliar's Municipal Boys' School, Old Poor House Road.	23-11-1939.	8 to 11 A.M.
V.	Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.	25-11-1939.	8 to 11 A.M.
VI.	Municipal Hafizia Higher Elementary School, Cockburn Road.	27-11-1939.	8 to 11-30 A.M.

I have the honour to be,
Sir,
Your most obedient servant,

H.H. Carlstein

President, M. C.

MVL.
26-10-39.

No.5521/39. Civil and Military Station, Bangalore,
Municipal Office,
dated 25th October 1939.

Election Notice.

Notice is hereby given that the undermentioned are candidates for election as Municipal Commissioners for the divisions and classes specified below :-

Europeans and Anglo-Indians.

Division No.		Names of Candidates.
I.	..	Mr. O. H. Brookes.
II.	..	Mr. W. Sinclair.
III.	..	Mr. F. D. Mootham.
IV.	..	Mr. R. E. Faezold.
		Mr. H. J. Nicholas.
V.	..	Mr. J. J. Newton.
		Mr. F. Legg.
VI.	..	Dr. J. N. Pacheco. (Dr. J. Norman Pacheco).

Mohamedans.

I.	..	Mr. M. Shaik Dawood.
		Mr. G. Syed Mahmood.
II.	..	Mr. M. Abdul Latheef.
III.	..	Mr. Mahmood Shariff.
IV.	..	Mr. Abdul Hameed Khassim Sait.
		Mr. Mohamed Abdul Azeez Siddiqi.
V.	..	Mr. Mohamed Hanief.
		Mr. Ali Beg.
		Hajee K. M. Sirajudin.
VI.	..	Mr. V. K. Obeidullah.
		Mr. Saleh Ahmed Sait.

Hindus and Others.

I.	..	Mr. B. V. Purushotham Naidu.
		Mr. U. K. Kalappa alias Puttusomappa.
		Mr. J. Mahadave Lal.
		Mr. H. S. Narasiah.
		Mr. K. M. Narayana Reddy.
		Mr. F. J. Nathmull.
		Mr. T. N. Rajarathnam.
II.	..	Mr. P. V. Paul.
		Mr. S. Sundaram Iyer.

(Continued).

15

Division No.	Names of Candidates.
Hindus and Others (Continued).	
III. (Two seats). ..	Mr. V. S. Arunachallam Mudaliar.
	Mr. P. Narasimha Rao Nayudu.
	Mr. A. Devaraju Mudaliar.
	Mr. M. Rangaiya.
IV. (Two seats). ..	Mr. N. Narayana Chetty.
	Mr. H. Battan Lal.
	Rao Sahib B. G. Rajagopal Mudaliar.
V. ..	Mr. N. Ekambaram.
	Mr. B. A. Achutharaya Mudaliar.
VI. ..	Mr. T. M. Arumugam Pillay.
	Mr. C. R. Nagappa.
Indian Christians.	
I, II and VI. ..	Mr. C. F. De Souza.
III, IV and V. ..	Mr. M. Thangiah.
	Rev. D. Jacob.

2. The date, time and place of the elections for the divisions and classes given below will be notified shortly :-

Division No.	Class.
IV. ..	Europeans and Anglo-Indians.
V. ..	Europeans and Anglo-Indians.
I. ..	Mohamedans.
IV. ..	Mohamedans.
V. ..	Mohamedans.
VI. ..	Mohamedans.
I. ..	Hindus and Others.
II. ..	Hindus and Others.
III. ..	Hindus and Others.
IV. ..	Hindus and Others.
V. ..	Hindus and Others.
VI. ..	Hindus and Others.
III, IV and V. ..	Indian Christians.

H. H. Carleston,

President, M. C.

" Copy. "

MVL.
O. Carroll
26/X

Letter dated the 24th October 1939, from the Presid Municipal Commission, Civil and Military Station, Bangalore to Miss M. Webster, Municipal Commissioner No.I Division, No.13, Aga Abbas Ali Road, Bangalore.

Reference:- Your nominations to represent Europeans and Anglo-Indians of No.I Division at the ensuing General Election of Municipal Commissioners.

Please take notice that the two nomination papers filed by you are not in order and cannot therefore be accep for the reasons stated below :-

Nomination paper dated the 23rd October 1939 and received on the same day. Mrs. J. (1) Carter, Mr. G. F. E (2) Mr. H. H. (3) Newham, Mrs. J. (4) Stephens, Mr. J. (5) Sykes and Mrs. A. (7) Whittaker, who have signed as supporters have already signed the nomination paper of Mr. O. H. Brooke also a candidate for the same constituency, Mr. G. F. E as seconder and the others as approving his nomination. They cannot again sign the nomination paper of the riva candidate. The number of those approving your nominat excluding those mentioned is only six which falls short the number required by Rule 9 of the Election Rules by

Nomination paper dated the 23rd October 1939 and received to-day. The objection stated above applies t this nomination paper also.

" Copy. "

MVL.
26-10-39.
D. Carroll.
26/X.

J.I. 2

R.Dis.No.F. 615 -39
G & A.

1/11/1939.

From

The Secretary to the Resident.

To

The President, Municipal Commission,
C & M Station, Bangalore.

General Election of Municipal Commissioners, 1939.

Reference your letter No.5521/39, dated the 26th October 1939.

2. The Hon'ble the Resident is pleased to approve the dates and places proposed for the election.

for Secretary to the Resident.

31.10.39

S.N.1/P.U.C

Issue today
1/11/39.
Issued
1/11/39

No. 3943/39

5:—3,000—12—5—39.

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Dated 5th November, 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
Diary No. 11,361
File No.

The Secretary to the Hon'ble the Resident in Mysore,

BANGALORE.

Sir,

I have the honour to forward, herewith, a copy of letter dated the 2nd November 1939 received from the Honorary Secretary, Bangalore Trades Association, and to request you kindly to obtain the approval of the Hon'ble the Resident to Tuesday the 28th November 1939 being fixed as the date for election by the Trades Association of a member to serve on the Municipal Commission of this Station.

I have the honour to be,

Sir,

Your most obedient servant,

H. H. Carleston

PRESIDENT, M.C.

HB. 4/11/1939.

Letter dated the 2nd November 1939 from the Honorary Secretary, Bangalore Trades Association, Bangalore, to the President, Municipal Commission, Civil and Military Station, Bangalore.

.....

I have the honour to acknowledge your letter No.3943 dated the 1st instant with enclosures referred to therein.

We propose to elect our representative on the Municipal Commission at the regular Monthly General Meeting of this Association to be held on Tuesday the 28th instant, and trust this day will meet with the approval of the Hon'ble the Resident.

.....

" C O P Y ".

O. Carroll
4/xi

IV 4

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

Issued.
16/11/39

To

The President, Municipal Commission,
Civil and Military Station, Bangalore.

MEMORANDUM R.DIS. No. F. 615-39 / G & A

Dated Bangalore, the 16th November *1939*.

ELECTION OF MUNICIPAL COMMISSIONERS
1939.

S.N.3
R.V.C

Reference your letter No.3943/39 dated the 5th November 1939.

2. Tuesday, the 28th November 1939, is approved for the election by the Bangalore Trades Association.

for SECRETARY TO THE RESIDENT.

Copy submitted To The Hon'ble the Resident in Mysore, C. & M. Station, Bangalore (for information)

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
17 NOV. 1939
Diary No. 11,633
File No.....

The President,
Municipal Commission,
Civil and Military Station,
BANGALORE.

Sir,

We the undersigned voters concerened, beg leave to place before you the following facts, relating to the Election (Indian Christian Seat) held on the 9th instant at which Mr.M. Thangiah was declared elected:-

So far as it is known, Mr.M.Thangiah had studied upto VIth form of a high School in Bangalore and had been an Elementary Grade teacher in an Elementary School and he has never been known to have had any University Education. But Mr.Thangiah has very prominently displayed the Degree of B.A. following his name in the cards, in the placards in front of the cars and in the posters on the wall etc. used for the purposes of the election (Vide copies enclosed) with the explicit intention of making the voters believe that he was duly qualified University man superior to the other contesting candidate Revd.D. Jacob. Many of the voters taking the B.A.at its face value as a University Degree were misled to vote for him at that election.

But for such a representation we are convinced the result of the Election of the 9th instant would easily have been a different and a fair one. Such a use of the degree in our consideration invalidates the election. We also understand that Mr.Thangiah had been once warned by the Educational Officer of the Station against the use of the Degree B.A., when he does not possess a recognised Bachelor's degree. A person is further disqualified according to election rules and practices, to be a commissioner, if he is personally interested in any place or position of profit or benifit from the Municipality. Mr. Thangiah's institution Viz: the Y.M.C.A. receives an annual contribution from the Municipality and Mr. Thangiah receives his pay out of such contributions.

We therefore contend that a false representation such as has been made prior to and at the time of the Election, (9th Instt) cannot validate his election and we therefore pray that you may be pleased to investigate the methods used in regard to that election and to set aside the result of the Election as invalid and to be pleased further to arrange for another election at which such methods and practices, as may be calculated to influence the voters wrongly and falsely will not find a place.

We beg to remain,

Sir,

Your most obedient servants,

Signed by the Voters of
III, IV & V Divisions.

Bangalore.
16th November, 1939.

Immediate

Qy S.N.6

12

5—3 000—12—5—39

No. 6118/38 Genl.1

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Dated 27th November 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident in Mysore,
Bangalore.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
28 NOV. 1939
12001.
Diary No.....
File No.....

Sir,

Subject:- General Election of Municipal Commissioners.

With reference to your Memorandum R.Dis.No.F.615-39/G & A., dated the 1st November 1939, on the above subject, I have the honour to report that the elections of Municipal Commissioner

-resent :-

(1) Europeans and Anglo-Indians in No.IV Division;

(2) Europeans and Anglo-Indians in No.V Division;

(3) Indian Christians in Divisions Nos.III, IV and V (combined);

(4) Hindus and Others in No.I Division;

(5) Hindus and Others in No.II Division;

(6) Hindus and Others in No.III Division;

(7) Hindus and Others in No.IV Division;

(8) Hindus and Others in No.V Division;

(9) Hindus and Others in No.VI Division;

(10) Mohamedans in No.IV Division;

(11) Mohamedans in No.V Division;

(12) Mohamedans in No.VI Division, were held on the 7th 8th, 9th, 14th, 15th, 16th, 17th, 18th, 20th, 23rd, 25th and 27th November 1939 respectively, with the following results :-

No.IV Division - Europeans and Anglo-Indians.

Bourdillon Branch, Y. M. C. A., Infantry Road.

1. Mr. R. E. Faezold. .. 44 votes.
2. Mr. H. J. Nicholas. .. 35 votes.

No. V Division - Europeans and Anglo-Indians.

Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.

1. Mr. J. J. Newton. .. .. 233 votes.

2. Mr. F. Legg. .. .. 89 votes.

Nos. III, IV and V Divisions (Combined) - Indian Christians.

Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.

1. Mr. M. Thangiah. .. .. 120 votes.

2. Rev. D. Jacob. .. .. 114 votes.

No. I Division - Hindus and Others.

Municipal Hindu Boys' School, Joughpollyam, Ulsoor.

1. Mr. H. S. Narasiah. .. 384 votes.
2. Mr. U. K. Kalappa alias Puttusomappa. .. 134 votes.
3. Mr. B. V. Purushotham Naidu. .. 72 votes.

) Messrs. K. M. Narayana Reddy, F. J. Nathmull, T. N. Rajarathnam and J. Mahadeva Lal, having withdrawn their candidature, the election was held among the remaining 3 candidates.

No. II Division - Hindus and Others.

Mayo Hall.

1. Mr. S. Sundaram Iyer. .. 273 votes.

2. Mr. P. V. Paul. .. 192 votes.

No. III Division - Hindus and Others. (Two seats).

Rao Bahadur Suryanarayana Rao's Municipal Girls' School, Cavalry Road.

1. Mr. V. S. Arunachallam Mudaliar. .. 698 votes.
2. Mr. P. Narasimha Rao Nayudu. .. 698 votes.
3. Mr. A. Devaraju Mudaliar. 103 votes.

) Mr. M. Rangaiya having withdrawn his candidature, the election was held among the remaining three candidates.

P. T. O.

114

No.IV Division - Hindus and Others. (Two seats).

Rao Sahib B. G. Rajagopal Mudaliar's Municipal Boys' School, Old Poor House Road.

1. Mr. N. Narayana Chetty. .. 531 votes.
2. Mr. H. Battan Lal. .. 481 votes.
3. Rao Sahib B. G. Rajagopal Mudaliar. 221 votes.

No.V Division - Hindus and Others.

Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.

1. Mr. W. Ekambaram. .. 232 votes.
2. Mr. B. A. Achutharaya Mudaliar. 110 votes.

No.VI Division - Hindus and Others.

Rao Sahib Thangavelu Mudaliar's Municipal Higher Elementary School, Blackpally.

1. Mr. C. R. Nagappa. .. 166 votes.
2. Mr. T. M. Armugam Pillay. .. 152 votes.

No.IV Division - Mohamedans.

Rao Sahib B. G. Rajagopal Mudaliar's Municipal Boys' School, Old Poor House Road.

1. Mr. Abdul Hameed Khassim Sait. .. 287 votes.
2. Mohamed Abdul Aziz Siddiqi Sahib. 243 votes.

No.V Division - Mohamedans.

Municipal Mohamedan Boys' School, Mosque Road, Fraser Town.

1. Mohamed Hanief Sahib. .. 83 votes.) Mr. Hajee K. M. Sirajudin having withdrau his candidature the election wa held among the remaining two candidates.
2. Mr. M. Ali Beg. .. 22 votes.)

No.VI Division - Mohamedans.

Municipal Hafizia Higher Elementary School, Cockburn Road.

1. V. K. Obeidullah Sahib 258 votes
2. Mr. Sabi Ahmed Sait 221 votes

2. There was no election in respect of the seat allotted Mohamedans in No.I Division as Mr. G. Syed Mahmood, the contesting

15

contesting candidate withdrew his candidature.

3. Mr. R. E. Paezold, Mr. J. J. Newton, Mr. M. Thangiah Mr. H. S. Narasiah, Mr. S. Sundaram Iyer, Messrs. V. S. Arunachallam Mudaliar and P. Narasimha Rao Nayudu, Messrs. N. Narayan Chetty and H. Battan Lal, Mr. W. Ekambaram, Mr. C. R. Nagappa, Mr. Abdul Hameed Khassim Sait, Mr. Mohamed Hanief and V. K. Ghaidullah Sahib have elected.

4. I have received a lawyer's notice on behalf of Miss M. Webster, threatening filing of a Civil Suit in respect of the rejection of her nomination papers for the European and Anglo-Indian constituency of No.I Division. Objections have been received against Messrs. R. E. Paezold and M. Thangiah. I shall deal with these in due course and make a report to the Hon'ble the Resident.

5. A draft notification relative to the election is enclosed for favour of publication in the Residency Orders at a very early date, as the existing Commissioners cease to hold office after the 30th November 1939 and the new Municipal Commission has to function from the 1st December 1939.

I have the honour to be,
Sir,
Your most obedient servant,

H. H. Carbutt

President, M. C. C.

MVL.

27/11/39

13

THE HON'BLE THE RESIDENT IN MYSORE.

No. 165 dated 29th November 1939.

NOTIFICATION.

Under the provisions of Section 13 of the Bangalore Municipal Law, 1897, the Hon'ble the Resident in Mysore, is pleased to notify that the following gentlemen have been elected Municipal Commissioners for the Civil and Military Station, ~~of~~ Bangalore, for a period of three years from the 1st December 1939 :-

To represent Europeans and Anglo-Indians.

No.I Division.	..	Mr. O. H. Brookes.
No.II Division.	..	Mr. W. Sinclair.
No.III Division.	..	Mr. F. D. Mootham.
No.IV Division.	..	Mr. R. E. Paezold.
No.V Division.	..	Mr. J. J. Newton.
No.VI Division.	..	Dr. J. Norman Pacheco.

To represent Mohamedans.

No.I Division.	..	Mr. M. Shaik Dawood.
No.II Division.	..	Mr. M. Abdul Latheef.
No.III Division.	..	Mr. Mahmood Shariff.
No.IV Division.	..	Mr. Abdul Hameed Khassim Sait.
No.V Division.	..	Mr. Mohamed Haneef.
No.VI Division.	..	Mr. V. K. Ghaidullah.

To represent Hindus and Others.

No.I Division.	..	M.R.Ry. H. S. Narasiah Garu.
No.II Division.	..	M.R.Ry. S. Sundaram Iyer Avl.
No.III Division.	..	M.R.Ry. V. S. Arunachallam Mudaliar Avl.
		M.R.Ry. P. Narasimha Rao Nayudu Garu.
No.IV Division.	..	M.R.Ry. N. Narayana Chetty Garu.
		Mr. H. Battan Lal.
No.V Division.	..	M.R.Ry. M. Ekambaram Avl.
No.VI Division.	..	M.R.Ry. C. R. Nagappa Garu.

To represent Indian Christians.

Nos.I, II & VI Divisions.(Combined).		Mr. C. F. DeSouza.
Nos.III, IV and V Divisions (Combined).		Mr. M. Thangiah.

Secretary to the Resident.

To be published in the Mysore Residency Orders of the 1st Decr.1939

To the President, Municipal Commission, Civil and Military Station Bangalore, with reference to his letter No.6118/39, dated the 27th November 1939.

THE HON'BLE THE RESIDENT IN MYSORE.

Issued 29/11/39 Sm.

No. 165. Dated Bangalore, the 29th November 1939.

NOTIFICATION.

Under the provisions of Section 13 of the Bangalore Municipal Law, 1897, the Hon'ble the Resident in Mysore, is pleased to notify that the following gentlemen have been elected Municipal Commissioners for the Civil and Military Station, Bangalore, for a period of three years from the 1st December 1939:-

To represent Europeans and Anglo-Indians.

No.I	Division.	..	Mr. O.H. Brookes.
No.II	"	..	Mr. W. Sinclair.
No.III	"	..	Mr. F.D. Mootham.
No.IV	"	..	Mr. R.E. Faezold.
No.V	"	..	Mr. J.J. Newton.
No.VI	"	..	Dr. J. Norman Pacheco.

To represent Mohamedans.

No.I	Division.	..	Mr. M. Shaik Dawood.
No.II	"	..	Mr. M. Abdul Latheef.
No.III	"	..	Mr. Mahmood Shariff.
No.IV	"	..	Mr. Abdul Hameed Khassim Sait
No.V	"	..	Mr. Mohamed Haneef.
No.VI	"	..	Mr. V.K. Obeidullah.

To represent Hindus and Others.

No.I	Division.	M.R.Ry. H.S. Narasiah Garu.
No.II	"	M.R.Ry. S. Sundaram Iyer Avl.
No.III	"	M.R.Ry. V.S.Arunachallam Mudaliar Avl.
		M.R.Ry. P.Narasimha Rao Nayudu Garu.
No.IV	"	M.R.Ry. N. Narayana Chetty Garu.
		Mr. H. Battan Lal.
No.V	"	M.R.Ry.V. Ekambaram Avl.
No.VI	"	M.R.Ry. C.R. Nagappa Garu.

To represent Indian Christians.

Nos.I, II and VI Divisions. (Combined).	Mr. C. F. DeSouza.
Nos.III, IV and V Divisions. (Combined).	Mr. M. Thangiah.

p/c

SECRETARY TO THE RESIDENT.

To be published in the Mysore Residency Orders of 1-12-1939.

To the President, Municipal Commission, C & M. Station, Bangalore, with reference to his letter No.6118/39, dated the 27th November 1939.

No. 3943/39.

5—3,000—12—5—39

CIVIL & MILITARY STATION, BANGALORE.
MUNICIPAL OFFICE.

Dated 1st December 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident
in Mysore,

BANGALORE.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
1 DEC. 1939
Diary No. 12,133
File No.

Subject:- Election of Municipal Commissioners 1939 - Election of the Representative of the Trades Association on the Municipal Commission - Your Memorandum No.F.615-39/G & A., dated the 16th November, 1939.

I have the honour to state that the Honorary Secretary, the Bangalore Trades Association, reports that, at a meeting of the Association held on the 28th November 1939, Mr. Chas. J. Cole was elected to represent the Association on the Municipal Commission - (Vide duplicate of letter dated the 29th November 1939 from the Honorary Secretary, enclosed). I request that the Hon'ble the Resident may be pleased to notify the election in the Mysore Residency Orders, to take effect from the 1st December 1939.

A draft notification relative to the election is enclosed.

I have the honour to be,
Sir,
Your most obedient servant,

H. H. Carleston

PRESIDENT, M.C.

DIW.1/12/'39.

Encls. 2

Bangalore Trades Association

FOUNDED 1898. (INCORPORATED UNDER THE INDIAN COMPANIES ACT, 1882.)

19

Registered Office:
17a South Parade,
BANGALORE,

All Cheques and Remittances to be made payable to Bangalore Trades Association.

United Kingdom Contact:—
London Association
for Protection of Trade.

TELEPHONE 129

29th November 1939

The President,
Municipal Commission,
C & M Station,
Bangalore.

Dear Sir,

With reference to your letter No.3943 dated the 20th inst, I have the honour to inform you that at the Monthly General Meeting of this Association held on the 28th inst, Mr Chas.J.Cole, Manager, Messrs Spencer & Co., Ltd, South Parade, was elected to represent this Association on the Municipal Commission for a period of one year i.e. till 30th November 1940, vide Notification No.136 dated the 30th October 1939 of the Hon'ble the Resident in Mysore.

S.N.6 (T)
R.D.F.481-39

I am, Dear Sir,
Yours faithfully,

C. S. Wade.

Honorary Secretary.

BS

S.N.8

120

1/12/39 THE HON'BLE THE RESIDENT IN MYSORE.

Issued 1/12/39 Sm

No. 168. Dated 1st December 1939.

NOTIFICATION.

Under the provisions of Section 13 of the Bangalore Municipal Law, 1897, the Hon'ble the Resident is pleased to notify that Mr. Chas. J. Cole has been elected a Municipal Commissioner for the C & M. Stn., Bangalore, for a period of one year from the 1st December 1939, to represent the Bangalore Trades Association.

SECRETARY TO THE RESIDENT.

omit

Draft.

H.W. Carlisle 1.12.39

PRESIDENT, M.C.

DIW.1/12/39.

To be published in the Mysore Residency Orders of the 1st December 1939.

To the President, Municipal Commission, C & M Station, Bangalore with reference to his letter No.3943/39, dated the 1st December 1939

S.N.7 / P.U.C. /

Copy for file

1-12-39

S.IV.7

21

BANGALORE.
Dated 21st November 1939.

To

The President,
Municipal Commission,
Civil and Military Station,
BANGALORE.

Sir,

We, the undersigned voters, do hereby declare that we voted in favour of Mr. M. Thangiah at the election held on the 9th instant, believing that Mr. M. Thangiah was a - University man with the degree of B. A.,as he had been misrepresenting himself to be: (He had been supplying us with cards bearing his name with B. A., and he had placards in front of the cars with B. A. prominently displayed, besides posters on the walls, roads & etc., with the B.A. after his name).

But we now learn that he is not a B.A. as we understand by it and therefore request that our votes given in his favour by us may be taken as cancelled.

We beg to remain,
Sir,
Your most Obedient servants,

(Signed by Seven Voters of III, IV & V Divisions)

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
23 NOV. 1939
Diary No. 11,853
File No.....

Copy forwarded to:-
1) The Honourable Resident in Mysore, Bangalore.
AND
2) Inspector of Schools: C.&.M. Station, BANGALORE.

23

Minutes of the meeting of the Board of Directors of the Bangalore Y.M.C.A. held on Monday, the 22nd.February, 1937, at 6 P.M. in the Library of the City Y.M.C.A.

x x x x x.

2. With reference to the Sub-Committee appointed to go into the question of Mr.Mark Thangiah's degree, the following recommendation was brought by the ~~Convenor~~ Convenor, ... Rev.Mr. Clark :--

" We recommend that the Board should not recognise the claim of Mr.Thangiah to use this degree, and also does not approve the use of the B.A.Degree with his name in any Y.M.C.A literature or notices ".

The Board accepted the recommendation by the Sub-committee

x x x x x.

(True Extract.)

S/N.10

—3,000—12—5—39

No. 5928/39

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Dated 12th December 1939.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

To

The Secretary to the Hon'ble the Resident
in Mysore,

BANGALORE.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
14 DEC. 1939
Diary No. 12,667
File No.

General Election of Municipal
Commissioners, 1939.

With reference to paragraph 4 of my letter No.6118/39 dated the 27th November 1939, I have the honour to forward herewith copies of the two objection petitions received against the election of Mr. Mark Thangiah. I have investigated the allegations. Mr. Thangiah holds a Certificate purporting to be a diploma for the degree of Arts Bachelor (A.B.) from Milton College, Baltimore, America. The statement in the petition that the voters were misled seems to me to be frivolous and even if it is true, it will not affect the validity of the election.

I have the honour to be,

Sir,

Your most obedient servant,

H.H. Carleston

PRESIDENT, M. C.

DIW.
11/12/39.

25

Copy of objection petition dated the 21st November 1939 received from Mr. P. D. Mariadoss and others, against the election of Mr. M. Thangiah, to represent Indian Christians.

The President,
Municipal Commission,
C. & M. Station,
BANGALORE.

We, the undersigned voters, do hereby declare that we voted in favour of Mr. M. Thangiah at the election held on the 9th instant, believing that Mr. M. Thangiah was a University man with the degree of B.A., as he had been misrepresenting himself to be: (He had been supplying us with cards bearing his name with B.A., and he had placards in front of the cars with "B.A." prominently displayed, besides posters on the walls, roads, etc., with the B.A. after his name).

But we now learn that he is not a B.A. as we understand by it, and therefore request that our votes given in his favour by us may be taken as cancelled.

(Sd). P. D. Mariadoss, etc.
(7 signatures).

Copy of petition recieved from Mr. B. Madhava Rao, 31 Coles Road, and others, objecting to the election of Mr. Mark Thangiah, dated the 16th November 1939.

The President,
Municipal Commission,
Civil and Military Station,
BANGALORE.

We the undersigned voters concerned, beg leave to place before you the following facts, relating to the Election (Indian Christian Seat) held on the 9th instant, at which Mr. M. Thangiah was declared elected:-

So far as it is known, Mr. M. Thangiah had studied up to VIth Form of a High School in Bangalore and had been an Elementary Grade Teacher in an Elementary School and he has never been known to have had any University Education. But Mr. Thangiah has very prominently displayed the Degree of B.A. following his name in the cards, in the placards in front of the cars and in the posters on the wall etc., used for the purposes of the election (Vide copies enclosed), with the explicit intention of making the voters believe that he was duly qualified University man superior to the other contesting candidate, Revd. D. Jacob. Many of the voters taking the B.A. at its face value as a University Degree were misled to vote for him at that election.

Same as 9 M·5 (y)

But for such a representation we are convinced the result of the Election of the 9th instant would easily have been a different and a fair one. Such a use of the degree in our consideration invalidates the election. We also understand that Mr. Thangiah had been once warned by the Educational Officer of the Station against the use of the Degree B.A., when he does not possess a recognised Bachelor's degree. A person is further disqualified according to election rules and practices, to be a Commissioner, if he is personally interested in any place or position of profit or benefit from the Municipality. Mr. Thangiah's institution, viz. the Y.M.C.A. receives an annual contribution from the Municipality and Mr. Thangiah receives his pay out of such contributions.

We therefore contend that a false representation such as has been made prior to and at the time of the election (9th instant) cannot validate his election and we therefore pray that you may be pleased to investigate the methods used in regard to that election and to set aside the result of the election as invalid and to be pleased further to arrange for another election at which such methods and practices as may be calculated to influence the voters wrongly and falsely will not find a place.

(Sd).. B. Madhavara Rao, etc.
(56 signatures).

Minutes of the meeting of the Board of Directors of the Bangalore Y.M.C.A., held on Monday, the 22nd February 1937, at 6 P.M. in the Library of the City Y.M.C.A.

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* * *

2. With reference to the Sub-Committee appointed to go into the question of Mr. Mark Thangiah's Degree, the following recommendation was brought by the Convenor, Rev. Mr. Clark:-

"We recommend that the Board should not recognise the claim of Mr. Thangiah to use this Degree, and also does not approve the use of the B.A. Degree with his name in any Y.M.C.A. literature or notices".

The Board accepted the recommendation by the Sub-Committe

* *

"True Extract".

(28

S. N. 11

6—4,000—12—5—39

No. 6120/39

CIVIL & MILITARY STATION, BANGALORE,
MUNICIPAL OFFICE.

Encl. copy proceedings

Dated 22nd January 1940.

From

H. H. CARLESTON, ESQ., I.C.S.,
President, Municipal Commission,
Civil and Military Station, Bangalore.

Resident's

To

The Secretary to the Hon'ble the Resident
in Mysore,
Bangalore.

Sir,

I enclose a copy of my proceedings with reference to a complaint by Mr. H. J. Nicholas under Rule 13 of the Election Rules with copies of the relevant statements and documents.

under Rule 14

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
26 JAN. 1940
Diary No. 1011
File No. R.A. 615/39

I have the honour to be,
Sir,
Your most obedient servant,

H. H. Carleston

President, M. C.

After the Election for No.IV Division, European and Anglo-Indian Constituency of this Municipality, Mr. H.J. Nicholas, one of the candidates, complained that Mr. Paezold, his rival and successful candidate, had committed several acts of intimidation. When asked to substantiate his charges, Mr. Nicholas confined himself to one charge, namely, that Mr. Paezold had approached the Inspector of Schools and Rev. W. L. Holder (St. John's Church School Correspondent) to have the services of one Miss Arnold terminated because her father had refused to vote for him.

I have questioned Mr. Arnold and have referred to the Inspector of Schools and Rev. Mr. Holder in this matter. The Inspector and Mr. Holder, while stating that Mr. Paezold did suggest the dismissal of Miss Arnold, say that Miss Arnold's services were dispensed with as she was unqualified and not because of any suggestion from Mr. Paezol Mr. Arnold himself states that his daughter had been given notice before the Election and that this has nothing to do with the Election. He also denies that Mr. Paezold threatened him.

On the merits therefore, though Mr. Paezold's conduct might be open to objection, it does not seem to come within the purview of Rule 13 of the Election Rules. However, it has not even been suggested that Mr. Arnold did give his vote for Mr. Paezold as a result of the alleged intimidation or that he refrained from voting. This being so, there can be no case under Rule 13 since the essence of the Rule is that the person intimidated should have been made to give his vote or to refrain from voting as a result of the intimidation.

I therefore recommend that no action need be taken

under

Copy of complaint dated the 24th November 1939, from Mr. H. J. Nicholas.

3, Cleveland Road, Cleveland Town,
Bangalore, the 24th November 1939.

To

The President,
Municipal Commission,
Civil & Military Station,
Bangalore.

Sir,

I stood as a candidate for election for No.IV Division, E & A. I. Constituency, along with Mr. Paezold.

2. I submit that Mr. Paezold has committed many acts of intimidation within the meaning of Rule 13 of the Election Rules. The following are a few of such acts :

(1) When a certain voter refused to vote for him, Mr. Paezold approached the departmental heads and authorities to have his daughter removed from service.

(2) When two other voters refused to vote for him he filed groundless objections about their nationality, merely to humiliate and intimidate them. The objections proved groundless in one case; in the other, though the objections were just as groundless, her case went by default as she did not appear at the enquiry, not having been invited to attend.

(3) In the case of another voter, he exercised pressure and intimidation through the landlord.

(4) Some of the Municipal Engineering staff canvassed for Mr. Paezold at his instance and exercised pressure, amounting to intimidation.

3. I have not mentioned names at the present stage but will mention them with more details if necessary and required. I am prepared to substantiate these charges with evidence.

4. I pray that an enquiry under Rule 14 may be held forthwith.

I have the honour to be,
Sir,
Your most obedient servant,

(Sd). H. J. Nicholas.

MVL

3, Cleveland Road,

Bangalore, the 7th December 1939.

Dear Sir,

With reference to your letter No.6120/39, dated the 27th ultimo, asking me to furnish the proofs in my possession in respect of certain of the allegations made in my letter of the 24th idem, I beg to say that I would prefer, if you have no objection, to substantiate my statements with evidence at the enquiry itself. This would be in accord with the procedure followed under the Election Rules when objections are raised to the inclusion of persons in the Voters' List.

Yours faithfully,

(Sd). H. J. Nicholas.

The President,
Municipal Commission,
Civil and Military Station,
Bangalore.

Copy."
M.Shili.

MVL.

3, Cleveland Road, Cleveland Town,

Bangalore, the 14th December 1939.

Dear Sir,

Reference:- Your letter No.6120/39
dated the 9th December 1939.

Since you decline to hold an enquiry until you are furnished with proofs in support of my allegations, I cite in support of item 1, Rev. Mr. Holder of St. John's Church and Mr. M. S. H. Thompson, I.E.S., Inspector of Schools, C. & M. Station, as witnesses to the fact that on Mr. Arnold of 97, Seppings Road, refusing to vote for Mr. Paezold, the latter approached them in turn to have the services of Miss Arnold (Mr. Arnold's daughter) terminated. I consider that this alone establishes my case against Mr. Paezold.

Yours faithfully,

(Sd). H. J. Nicholas.

The President,

Municipal Commission,

Civil & Military Station,

Bangalore.

" Copy. "

MVL.

3, Cleveland Road, Cleveland Town,
Bangalore, the 8th January 1940.

Dear Sir,

Reference:- My letter dated the 14th December 1939 regarding alleged acts of intimidation committed by Mr. Faezold.

I have heard nothing further from you in the above matter and write to enquire when the enquiry will be held.

I presume I shall be invited to be present, as it would obviously be unfair to me, the complainant in the case, if an enquiry were held in my absence.

Yours faithfully,

(Sd). H. J. Nicholas.

The President,
Municipal Commission,
Civil and Military Station,
Bangalore.

" Copy. "

MVL.

Copy of the statement of the Inspector of Schools.

President.

I know nothing about the refusal to vote, but Mr. Faezold did mention to me the fact that Miss Arnold was professionally unqualified as a teacher because of her failure in the written test prescribed by the rules; but by doing so he did not precipitate the action which we, i.e. the Correspondent (the Rev. N. Holder) and I, took in due course. He merely mentioned a fact that was well known to us as persons conversant with the Code of Regulations for European Schools, Madras.

(Sd). M. S. H. Thompson,

19-12-1939.

MVL.

Copy of the statement of Mr. H. A. Arnold - 20th December 1939.

Mr. Paezold did not threaten me with anything when asking for my vote; but I heard before the election that Mr. Paezold had been to Rev. Holder and Mr. Thompson. Getting no satisfaction from them, he came to me and asked me why I was so wild with him. I then told him about the previous election in which he had called myself and others "turn overs". He said he could not remember but apologized

My daughter was working in St. John's Middle School. She had been given notice before the election, as she had failed in her exam. This had nothing to do with the election.

(Sd). H. A. Arnold.

By me,

(Sd). H. H. Carleston,

20-12-39.

MVL.

Copy of the statement of Rev. N. L. Holder - dated the 10th January 1940.

To

The President, Municipal Commission,
Bangalore.

Dear Sir,

Reference:- Your letter No.6120/39 dated 22nd December 1939.

I am sorry I did not reply to your letter earlier. It came at a time when I was rather busy and I trust that the delay has not seriously inconvenienced you.

Mr. Paezold came to my vestry sometime during Lent last year and asked me to take disciplinary action against Mr. H. A. Arnold a member of my congregation. From his account I gathered that Mr. Arnold was on his way to a service at S. John's Church on one of the Wednesday evenings in Lent, when Mr. Paezold approached him with a request that he should vote for him at the next elections for the Municipal Council. Mr. Arnold, who resented the disturbance told him to leave him alone in rather strong language. Mr. Paezold, resenting the insult offered him in the presence of other passers-by threatened to get even with Mr. Arnold. It was in order to do so that he visited my vestry in the morning a day or two later. I promised to have a talk with Mr. Arnold about his ungentlemanly conduct. Mr. Paezold, however, did not appear satisfied, and suggested that the best way of hurting Mr. Arnold was to dismiss his daughter from the Staff of S. John's Middle School, Bangalore. Such a procedure would force him to see that it was unwise to insult a Municipal Commissioner.

He informed me that he had already informed the Inspector of Schools as to what he felt ought to be done, and had been informed by that Officer that Miss Arnold's contract was about to be terminated for a different reason.

(Continued).

I need hardly mention that such a suggestion from Mr. Paezold was treated with the contempt it deserved and that Miss Arnold's services were dispensed with as she had failed to qualify in the examination for Teachers.

Yours faithfully,

(Sd). William L. Holder,

Correspondent.

MVL

S-N-12

2-1

DEPARTMENT.

BRANCH.

File No.

Serial No.

Draft Letter / Memorandum / Telegram

Issued 31/1/40

Class for telegrams

INLAND:	FOREIGN:
Immediate	Immediate
Important	Important
Express	Ordinary
Ordinary	Without priority

No. R.615-39 Dated 31st Jan. 1940
G & A.

From

The Secretary to the Resident.

To

The President, Municipal Commn.
C & M Station, Bangalore.

To be issued on

Issued on

1st Reminder

2nd Reminder

3rd Reminder

Heading :

Case or Diary No.

If post copy of telegram required

Date of despatch of above

List of enclosures

(Code word for telegrams.)

S.N.11

P.U.C

Complaint by Mr.H.J.Nicholas under Rule 13 of the Election Rules.

Reference your letter No.6120/39 dated the 22nd January 1940.

2. The Resident agrees that there is no case for action under Rule 14 of the Election Rules.

(Sd.) D. H. Biscoe,
for Secretary to the Resident.

Page 121 of Byelaws (Z)

GIPC—S5—1595(S&P)MFP—(M-944)—6-3-39—60,000 Pads.

KSU 97/104/40

Southern Division Rate-payers' Association,
C. & M. Station, Bangalore.

(Registered under Act xxi of 1860.)

"Dovedale"
10, Rest House Crescent,

Bangalore, the 21st. Feby. *1940.*

No. 37/40

Dear Sir,

Municipal Elections

I am desired to forward, for your infor-
ation, an extract para 2 of the proceedings
of the Special Meeting of my Committee held
on the 17th. February, 1940, on the above sub-
ject.

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
1900 22 FEB. 1940
R&E
Diary No. 2022
File No.

Yours faithfully,

Honorary Secretary
and Treasurer.

The President,
Municipal Commission,
C & M Station, BANGALORE.

(with extract)

Copy to the Secretary to the Hon. the Resident in Mysore for any action that might be considered necessary.

2. MUNICIPAL ELECTIONS - (1) Enquiries have been constantly made by members interested, regarding the progress of Mr. Nicholas's representation to the President, Municipal Commission, in regard to the unfair, intimidatory and revengeful methods adopted by his opponent in securing votes for himself. Now that a decision had been arrived at in this matter, it is permissible to give details, though in brief. Among other matters, Mr. Nicholas represented that his opponent had gone so far as to make a determined attempt at getting the daughter of one of his voters sacked from the position she held merely because her father refused, to vote for him and his refusal was not couched in milder terms and also because he had availed himself of the services of the executive staff in canvassing votes for him. The latter charge was, however, not pressed as those approached by the executive staff, while still maintaining the fact, were found to be unwilling to come forward to give evidence if an enquiry was held. In reply to his request to be informed as to when the enquiry by the P. M. C. was to be held, Mr. Nicholas was asked to see the President but only to be told that the enquiry had already been held and that the principal witness, viz. the father of the girl, had admitted in writing, that he had in spite of what was attempted, actually voted for the 'other side' and

and such being the case, the particular rule in question had not been violated, the inference being that had he voted for Mr. Nicholas's opponent, as a result of his threats or intimidation, the rule would have been infringed. Mr. Nicholas, as the complainant inthe case, naturally objected to the enquiry being held behind his back and pointed out that it might possibly have taken a different turn had he been present. The result is that he has been informed that his attendance was not essential in the circumstances and that there is no case for action under the particular rule in question - the facts have not been denied. The Committee were concerned only with two points in this case, viz. (1) whether an enquiry held behind his back was fair to the complainant in what, after all, was a public matter and why the (2) President, Municipal Commission, had insisted on the father of the girl to disclose, in spite of his unwillingness to do so, as to whom he had voted for. The Committee were firmly of opinion that Mr. Nicholas should have been invited to be present at the enquiry and that the pressure brought on the father of the girl to confess as to whom he had actually voted for, in spite of his maintaining that it was a secret matter, was uncalled for. They were further of opinion that this particular question would have been treated as privileged even in a judicial enquiry. As it happend, Mr. Nicholas's protest has been turned down on this identical point, viz because the witness had confessed that he had voted for the other side!

(2) Miss Webster's case was again postponed to Tuesday, the 20th. instant, when her lawyer will file his statement in reply to the one filed by the defendant.